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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 GEORGE H. ROBINSON,
12 CDCR #D-48919,

13 Plaintiff

Civil No. 07-1267 H (WMc)

14 **ORDER GRANTING PLAINTIFF'S**
15 **MOTION FOR EXTENSION OF**
16 **TIME TO PAY INITIAL FILING**
17 **FEE [Doc. No. 4]**

18
19 vs.

20 W. LILES; O. LEAL; J. VENABLE;
21 R. PARAMO; J. ROMERO; G. LEON;
22 R.J. WOODS; R.J. HERNANDEZ;
JOHN DOES 1-10,

23 Defendants.
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25 Plaintiff, an inmate currently incarcerated at California State Prison's Substance Abuse
26 Treatment Facility in Corcoran, California, and proceeding pro se, has filed a civil rights
27 complaint pursuant to 42 U.S.C. § 1983. Because the Court neither received the \$350 filing fee
28 to initiate a civil action nor did the Court receive a Motion to Proceed *In Forma*

1 *Pauperis* (“IFP”) pursuant to 28 U.S.C. §§ 1914(a) and 1915(a), the Court dismissed Plaintiff’s
2 action for failing to pay or move to proceed IFP. *See* August 2, 2007 Order at 2-3.

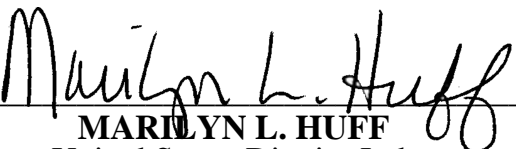
3 Plaintiff has now filed a “Motion to Reconsider” which the Court liberally construes as
4 a motion for extension of time to pay the initial civil filing fee. In Plaintiff’s Motion he indicates
5 that he was informed by the Prison’s trust account office that a check for \$350 was mailed to the
6 Court along with his initial Complaint. *See* Pl.’s Mot. at 2. However, as of August 27, 2007,
7 this Court has not received Plaintiff’s check. Based on the documentation submitted to the
8 Court, it does appear that Plaintiff made a good faith effort to submit the correct filing fee.
9 Accordingly, the Court will **GRANT** Plaintiff an extension of time to submit the initial civil
10 filing fee of \$350.00 or in the alternative, a Motion to Proceed IFP.

11 **Conclusion and Order**

12 Plaintiff’s Motion for Extension of Time to Pay Initial Civil Filing Fee, or in the
13 alternative, a Motion to Proceed IFP [Doc. No. 4] is **GRANTED**. Plaintiff has sixty (60) days
14 leave from the date this Order is “Filed” to: (a) prepay the entire \$350 civil filing fee in full; **or**
15 (b) complete and file a Motion to proceed IFP which includes a certified copy of his trust
16 account statement for the 6-month period preceding the filing of his Complaint pursuant to 28
17 U.S.C. § 1915(a)(2).

18 **IT IS SO ORDERED.**

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20 DATED: August 28, 2007

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22 **MARILYN L. HUFF**
23 United States District Judge
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